

C. D. Michel, S.B.N. 144258
cmichel@tmllp.com
W. Lee Smith, S.B.N. 196115
lsmith@tmllp.com
TRUTANICH • MICHEL, LLP
180 E. Ocean Blvd., Suite 200
Long Beach, CA 90802
Telephone: (562) 216-4444
Fax: (562) 216-4445

Attorneys for Defendant
Action Metal Recycling, Inc.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Communities for a Better
Environment, a California non-profit
corporation.

Plaintiff,

V.

Action Metal Recycling, Inc., a California corporation,

Defendant.

CASE NO: C07-02768 ICS

SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT

Pursuant to Civil Local Rule 16-10(d)

Magistrate Judge: Joseph C. Spero

Date: January 11, 2008
Time: 1:30 p.m.

Pursuant to Civil Local Rule 16-10(d) Plaintiff Communities for a Better Environment (“Plaintiff”) and Defendant Action Metal Recycling, Inc. (“Defendant”) (collectively the “Parties”) hereby submit the following Case Management Statement.

1. The Parties continue to work in good faith attempting to reach a settlement of this Action.

2. The Parties participated in a productive mediation session in November 2007, and since that time have had multiple discussions regarding settlement offers made by Plaintiff.

28 ||| 3. The Plaintiff's most recent settlement offer (*i.e.*, a proposed consent

1 decree) was presented to Defendant on or about November 26, 2007, and was
2 formally rejected by Defendant on December 18, 2007; the Parties agreed,
3 however, that Plaintiff would present a revised proposed consent decree to
4 Defendant (and that Defendant would give good faith consideration thereto) prior
5 to the Case Management Conference scheduled in this matter for January 11, 2008.

6

7 DATED: December 27, 2007

**COMMUNITIES FOR A BETTER
ENVIRONMENT**

8

9

10 s/Shana Lazerow
11 Counsel for Plaintiff
E-mail: slazerow@cbecal.org

12

13 DATED: December 27, 2007

TRUTANICH • MICHEL, LLP

14

15 s/W.Lee Smith
16 Counsel for Defendant
E-mail: lsmith@tmllp.com

17

18

19

20

21

22

23

24

25

26

27

28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

Communities for a Better Environment, a California non-profit corporation, } CASE NO: C07-02768 JCS
Plaintiff, } CERTIFICATE OF SERVICE
v. }
Action Metal Recycling, Inc., a California corporation, }
Defendant. }

IT IS HEREBY CERTIFIED THAT:

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 180 E. Ocean Blvd., Suite 200, Long Beach, California, 90802.

I am not a party to the above-entitled action. I have caused service of:

SUPPLEMENTAL JOINT CASE MANAGEMENT STATEMENT

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Shana Lazerow
Counsel for Plaintiff
E-Mail: slazerow@cbe-cal.org

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 27, 2007.

s/W. Lee Smith
Counsel for Defendant